

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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VINCENT DIMICELI,

Plaintiff,

- against -

GALVEX HOLDINGS LTD., GALVEX TRADE LTD,  
GALVEX SERVICES OÜ, GALVEX ESTONIA OÜ,  
GALVEX INTERTRADE OÜ, GALVEX CAPITAL  
L.L.C., ALVAREZ & MARSAL EUROPE LTD.,  
SILVER POINT CAPITAL, L.P., SILVER POINT  
EUROPE LLP and SILVER POINT GROUP, LLP,

Defendants.  
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No. 07 Civ. 4835  
ECF Case

**DECLARATION OF SHEPARD C. SPINK IN  
SUPPORT OF ALVAREZ & MARSAL EUROPE  
LTD.'S MOTION TO DISMISS**

SHEPARD C. SPINK, pursuant to 28 U.S.C. § 1746, states:

1. I am Senior Director of Alvarez & Marsal Europe Ltd. ("A&M").
2. A&M is a limited company organized under the laws of the England, with its principal place of business in London, England.
3. A&M provides performance improvement, turnaround management and corporate advisory services to European clients ranging from international enterprises to middle market companies to public sector entities.
4. A&M does not have an office in New York.
5. A&M does not own or possess any real estate in New York.
6. A&M does not have any employees who work in New York.

7. A&M does not have any bank accounts in New York.
8. A&M does not have a telephone listing in New York.
9. A&M has never paid taxes in New York.
10. A&M does not have a registered agent in New York for the acceptance of service of process.
11. A&M is not registered with the New York Department of State as a foreign corporation doing business in New York.
12. A&M does not have any clients in New York.
13. A&M does not solicit any business in New York.
14. A&M does not disseminate any marketing materials in New York.
15. A&M has not entered into any employment agreement with Vincent Dimiceli.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 20, 2007.



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Shepard C. Spink